

Atty. Docket No.: 2500 / 2 CON 2 DIV 3 CON 5  
(203-3515 DIV 2 CON 2 DIV 3 CON 5)

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Peter M. Bonutti

Examiner: Thaler, Michael H.

Serial No.: 10/729,768

Group Art Unit : 3731

Filed: December 5, 2003

Dated: November 6, 2006

For: **FLUID OPERATED RETRACTORS**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL FORM**

Sir:

Transmitted herewith is an amendment in the above-identified application.

**COPY**

- ☐ Small entity status of this application under 37 C.F.R. § 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity under 37 C.F.R. § 1.9 and 1.27 is enclosed.
- ☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDIT. RATE FEE	ADDIT. RATE FEE
TOTAL	*9 MINUS ** 20	= 0	X 25 \$	X 50 \$ 0	
INDEP.	*1 MINUS ** 3	= 0	X 100 \$	X 200 \$ 0	
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			X 180 \$	X 360 \$ 0	
			TOTAL	OR TOTAL	\$ 0
			ADDIT. FEE		\$ -0-

\* If the entry in Co. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The Highest No. Previously Paid For (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

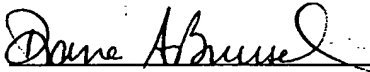
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date below.

Dated: November 6, 2006

Dana A. Brussel  
Dana A. Brussel

- ☐ Please charge Deposit Account No. 21-0550 in the amount of \$\_\_\_\_. Two (2) copies of this sheet are enclosed.
- ☐ A check in the amount of \$\_\_\_\_ is enclosed.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account No. 21-0550. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 21-0550 therefor. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

  
Dana A. Brussel  
Reg. No. 45,717  
Attorney for Applicant

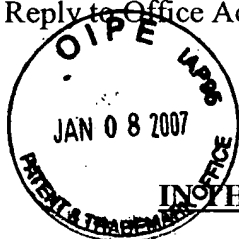
COPY

***Carter, DeLuca, Farrell & Schmidt, LLP***  
445 Broad Hollow Road  
Suite 225  
Melville, New York 11747  
Tel.: (631) 501-5700  
Fax: (631) 501-3526

**Correspondence Address:**

Chief Patent Counsel  
United States Surgical,  
a Division of Tyco Healthcare Group, LP  
195 McDermott Road  
North Haven, CT 06473

Appl. No. 10/729,768  
Amdt. dated November 6, 2006.  
Reply to Office Action mailed August 8, 2006



Atty. Docket: 2500 DIV2 CON2 DIV3 CON5  
(203-3515 DIV2 CON2 DIV3 CON5)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**APPLICANT:** Peter M. Bonutti **EXAMINER:** Michael H. Thaler  
**SERIAL NO.:** 10/729,768 **ART UNIT:** 3731  
**FILED:** December 5, 2003 **DATED:** November 6, 2006  
**FOR:** **FLUID OPERATED RETRACTORS**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL**

**COPY**

Sir:

In response to the Office Action mailed on August 8, 2006, please amend the  
above-identified application as follows:

Amendments to the claims are reflected in the Listing of Claims which begins on  
page 2 of this paper.

Remarks begin on page 4 of this paper.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in  
an envelope, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 6,  
2006.

Dated: November 6, 2006

  
Dana A. Brussel